

APPEAL NO. 041844  
FILED SEPTEMBER 7, 2004

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing (CCH) was held on June 29, 2004. The hearing officer resolved the disputed issues by deciding that the respondent's (claimant) compensable injury of \_\_\_\_\_, extends to include her low back in addition to a tailbone contusion, and that the claimant had disability as a result of her compensable injury from March 3, 2003, through the date of the CCH. The appellant (carrier) appeals the hearing officer's determinations, contending that they are supported by insufficient evidence. The claimant asserts that the evidence supports the hearing officer's decision.

DECISION

Affirmed.

The claimant had the burden to prove that her compensable injury includes an injury to her low back and that she had disability as defined by Section 401.011(16). Conflicting evidence was presented on the disputed issues. The hearing officer is the sole judge of the weight and credibility of the evidence. Section 410.165(a). As the finder of fact, the hearing officer resolves the conflicts in the evidence and determines what facts have been established. The claimant's testimony and the reports of the claimant's current treating doctor support the hearing officer's determinations on the disputed issues. Although there is conflicting evidence in this case, we conclude that the hearing officer's decision is supported by sufficient evidence and that it is not so against the great weight and preponderance of the evidence as to be clearly wrong and unjust. Cain v. Bain, 709 S.W.2d 175 (Tex. 1986).

We affirm the hearing officer's decision and order.

The true corporate name of the insurance carrier is **ROYAL INDEMNITY COMPANY** and the name and address of its registered agent for service of process is

**CORPORATION SERVICES COMPANY  
800 BRAZOS  
AUSTIN, TEXAS 78701.**

---

Robert W. Potts  
Appeals Judge

CONCUR:

---

Chris Cowan  
Appeals Judge

---

Veronica L. Ruberto  
Appeals Judge